

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

CRIMINAL CASE NO. 2:10cr15

UNITED STATES OF AMERICA,)

)

)

vs.)

)

)

BILLY JACK HICKS.)

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O R D E R

THIS MATTER is before the Court on the Defendant's Notice of Appeal [Doc. 18].

In support of this notice, counsel states only that the Defendant appeals "Magistrate Judge Howell's ruling on the 24th day of November 2010 that 18 U.S.C. §922(g)(3) is a crime of violence requiring the Defendant's detention pursuant to 18 U.S.C. 3143." [Id.]. Since no grounds in support of the notice have been stated and no brief in support has been filed, the Court will require further briefing.

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days from entry of this Order, the Defendant shall file a brief in support of his position that the Magistrate Judge's ruling is erroneous.

IT IS FURTHER ORDERED that pending a ruling on the Defendant's Notice of Appeal, the Defendant shall remain detained pursuant to the Magistrate Judge's Order [Doc. 17], subject to the authority of the Magistrate Judge to modify or amend his order of detention.

Signed: December 6, 2010



Martin Reidinger
United States District Judge

